

Remarks

Petition for Extension of Time:

Please find attached a Petition for Extension of Time (3-months) and fee to timely respond to this Office Action dated March 15, 2006. Please further note that the three month anniversary from the original due date (April 15, 2006) to respond to this Office Action is Sat., July 15, 2006, and Mon., July 17, 2006 is the next subsequent business day.

Information Disclosure Statement and Fee:

Please also find attached an information disclosure statement and required fee.

Response to Restriction Requirement:

In response to the March 15, 2006 restriction requirement, the applicant elects without traverse for examination claims 1-136; the applicant cancels and withdraws claims 137-157 without prejudice.

Preliminary Amendments:

The applicant has amended and canceled claims as briefly described:

Independent claim 1 has been amended with the terms: "creates pleasant crackling sounds" and "a gum or a resin"; proper antecedent basis can be found on CIP Specification Paragraph 34 (lines 1-5). Claim 1 was also amended with the terms: "the body of the meltable fuel further comprises a gum or a resin, whereby when the wick is burned and consumes the meltable fuel, the apparatus creates pleasant crackling sounds." Proper antecedent basis can be found in Paragraph 34.

Claim 28 was amended to correctly spell “there between.”

Independent claim 65 has been amended with the terms: “apparatus” for candle, “for amplifying pleasant crackling sounds while lighted,” “the meltable fuel includes at least one additive of beeswax, palm wax, hard wax, carnauba, clear wax, “gel”, petroleum wax, stearic acids, UV inhibitors, polyethylene, and color pigments”, “wood” and “said planar wood wick having a fine to medium and uniform texture and a generally straight and even vertical grain, said wick comprises a non-perforated or a non-crushed wood, whereby said apparatus provides amplified pleasant crackling sounds.”

Proper antecedent basis can be found in originally filed dependent claim 66 (now canceled), claims 68, 81-83, and 88 for additives; see also CIP Specification Paragraphs 24 (lines 2-4) for wax and for additives to the meltable fuel; see also Paragraphs 26, 29, and 68-71 for wood.

Dependent claims 66-114 were amended to delete the term “candle” and to add the term “apparatus” in order to coordinate with the amendment to underlying independent claim 65.

Claims 71, 73, 74, 88, 95, and 100 were canceled without prejudice.

Dependent claim 71 term “wood” was incorporated into the amendment to Claim 65 and then canceled; as a result, claims 72 and 75-79 were also amended to reflect this amendment and reliance on independent claim 65.

Independent claim 115 was amended with the following terms: “the wick has indicia printed on a flat surface thereof,” which was incorporated from originally filed claim 106 and see also proper antecedent basis in CIP Specification Paragraph 31; the terms: “wherein the wick is formed essentially of wood....” was deleted from claim 115, and claim 118 was also canceled.

Independent claim 119 was amended with the terms: "which creates amplified crackling sounds," "wood or wood product", and the "body of meltable fuel further comprises a gum, a resin or a hard wax." Proper antecedent basis can be found in originally filed claim 121 (now canceled) and CIP Specification Paragraph 29 for wood, in Paragraphs 24 (lines 2-4) for components in the meltable fuel, and Paragraph 34 (line 3) for gum and resin. Claim 121's "wood" language was amended to claim 125 and then canceled.

Independent claim 125 was amended with "combining" to replace the term "forming," and dependent claims 129 and 135 were also amended. Claim 125 also deleted "having a top surface and a slot engaging the top surface and extending down at least a substantial distance of a height of the body," "inserting", and "into the slot."

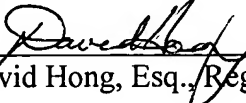
Claim 125 was amended with: "planar," "which is disclosed in the body and having an upper end extending beyond an upper surface of the body, and the wick has indicia printed on a flat surface thereof." Proper antecedent basis can be found in CIP Specification Paragraphs 42-44 and 77-85 for this method claim and also in Paragraph 31 for indicia on the wick.

No new matter has been added in the above amendments. These amendments were not in response to any substantive rejection of the claims.

Respectfully Submitted,

LAW OFFICE OF DAVID HONG

By


David Hong, Esq., Reg. No. 45,704

Dated: July 17, 2006

LAW OFFICE OF DAVID HONG

Mailing Address: P.O. Box 2111, Santa Clarita, CA 91386-2111

Tel/Fax: (866) 824-8680; Customer No. 35965

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 17, 2006. By: David Hong (Reg. No. 45,704)

